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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/726,014	11/29/2000	David William Cole	AUS9-2000-0489-US1	9664

7590

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EXAMINER
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NAHAR, QAMRUN

ART UNIT	PAPER NUMBER
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2124

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DATE MAILED: 02/02/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/726,014

Applicant(s)

COLE ET AL.

Examiner

Qamrun Nahar

Art Unit

2124

-- The MAILING DATE of this communication appears on the cover sheet with the corresponding address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 29 November 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
- a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

### DETAILED ACTION

1. Claims 1-18 have been examined.

#### *Claim Rejections - 35 USC § 102*

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-18 are rejected under 35 U.S.C. 102(e) as being anticipated by Goiffon (U.S. 6,226,792).

#### **Per Claim 1:**

The Goiffon patent discloses:

- **a method for integrating information technology components into a single end-to-end application** (“The forgoing objects and other objects and advantages are provided in the current invention, which is an object management system for use in managing reusable code and data components. Management is performed by mapping “concepts” stored within an “application domain” to software constructs that exist with a “technology domain”. in column 4, lines 18-23)
- **decomposing a business process into a set of enabling applications** (“locator elements” in column 4, lines 55-67 to column 5, lines 1-14)



- **documenting the technology elements and support organizations which are necessary to execute and manage the enabling applications of the business process** (“Relationships may further be defined between various locator elements in the hierarchical concept tree structure and asset elements in a manner that is similar to the way in which relationships are formed between locator elements and other locator elements, and asset elements and other asset elements. These relationships may be created to connect various ones of the concepts described by locator elements to the asset elements that describe the associated code and data components. ... a user may to efficiently identify all code and data objects existing within the system that are associated with a particular concept or sub-concept.” in column 5, lines 25-41, “asset elements”)

- **deploying required monitors for the business process enabling technology** (“Element Locator 124” in column 9, lines 31-41)

- **developing cross-platform contextual correlation logic and rules** (“Element Discovery Function” in column 9, lines 61-67 to column 10, lines 1-17)

- **mapping information technology severity to business impact severity; and developing an end-to-end business process event management platform** (“Mapping from the Application to Technology Domain is performing using the predefined relationship type “applies to” 634, as described above, which is shown in FIG. 6 existing between element type “Concept” 620 and “Asset Element” 606.” in column 26, lines 4-8).

**Per Claim 2:**

The Goiffon patent discloses:

- wherein the step of decomposing the business process further comprises developing an application model which describes the interactions, interdependencies and interfaces of all the business process enabling applications (column 5, lines 42-55).

**Per Claim 3:**

The Goiffon patent discloses:

- further comprising building a business system management configuration database (column 10, lines 47-67).

**Per Claim 4:**

The Goiffon patent discloses:

- further comprising integrating the business process event management platform into a preexisting event management process (column 10, lines 62-67 to column 11, lines 1-4).

**Per Claim 5:**

The Goiffon patent discloses:



- further comprising integrating the platform at both the business and technology level through a defined input/output event management interface (column 10, lines 47-67 to column 11, lines 1-4).

**Per Claim 6:**

The Goiffon patent discloses:

- wherein the event management platform is developed across two or more separate business entities (column 5, lines 25-41).

**Per Claims 7-12:**

These are computer program product versions of the claimed method discussed above (claims 1-6, respectively), wherein all claim limitations also have been addressed and/or covered in cited areas as set forth above. Thus, accordingly, these claims are also anticipated by Goiffon.

**Per Claims 13-18:**

These are system versions of the claimed method discussed above (claims 1-6, respectively), wherein all claim limitations also have been addressed and/or covered in cited areas as set forth above. Thus, accordingly, these claims are also anticipated by Goiffon.

***Conclusion***

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

5. Any inquiry concerning this communication from the examiner should be directed to Qamrun Nahar whose telephone number is (703) 305-7699. The examiner can normally be reached on Mondays through Thursdays from 9:00 AM to 6:30 PM. The examiner can also be reached on alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kakali Chaki, can be reached on (703) 305-9662. The fax phone number for the organization where this application or processing is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

QN  
January 13, 2004

*Kakali Chaki*  
**KAKALI CHAKI**  
**SUPERVISORY PATENT EXAMINER**  
**TECHNOLOGY CENTER 21**